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EL439619762
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Sept. 17, 2003

Date of Deposit

Cygnus Docket 0207.04
Serial No. 1.53(b) of 09/109,505
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: William ABRAHAM, et al

Examiner:
unassigned

Serial Number: 1.53(b) of 09/109,505

Group Art Unit:
unassigned

Filed: filed on even date herewith

For: HYDROGEL FORMULATIONS FOR USE IN ELECTROOSMOTIC
EXTRACTION AND DETECTION OF GLUCOSE (as amended herein;
previously "Hydrogel Patch")

PRELIMINARY AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants respectfully request the entry of the following preliminary amendment prior to examination of the above-identified patent application. An authorization to charge Deposit Account No. 03-4058 to cover additional claim fees accompanies this response. No further fees associated with this amendment are believed to be necessary; however, the Commissioner is hereby authorized to charge to Deposit Account No. 03-4058 any fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 which may be required by this paper, with the exception of the payment of the Issue Fee.

Consideration of the application in view of the following amendments and remarks is respectfully requested.

Applicants submit that the present amendment conforms to the revised amendment format requirements (Pre-OG Notice, "Amendments in Revised Format Now Permitted" (Waiver of 37 CFR 1.121(a), (b), (c) and (d))). If there are any problems with the format of applicants' amendment, the Examiner is respectfully requested to contact the undersigned.

Introductory Comments

Overview of the Amendments.

A. The Specification.

The amendments to the specification are presented herein below (after the signature page) in the section titled “Amendments to the Specification.”

The title has been amended to more clearly reflect the claimed subject matter.

The priority information has been updated.

Accordingly, no new matter has been added by way of this amendment and the entry thereof is respectfully requested.

B. The Claims.

Claims 1-27 are pending in the application. Claims 1, 4, 9, and 14-16 are amended herein without prejudice or disclaimer. Claims 2-3, 5-8, 10-13, and 17-27 are canceled herein without prejudice or disclaimer. Applicants expressly reserve the right to bring the subject matter of the original claims again in a subsequent, related application. After entry of this amendment, claims 1, 4, 9, 14-16, and 28-38 are pending.

The amendments to the claims are presented herein below (after the signature page) in the section titled “Amendments to the Claims.”

Support for the amendment to claim 1 can be found throughout the specification as originally filed, for example, at the following locations: page 7, lines 4-19; page 7, line 20, to page 8, line 3; page 9, line 30, to page 10, line 3; page 10, lines 9-17; page 15, lines 2-29; page 17, lines 6-32; page 19, lines 12-24; page 22, lines 6-7; page 23, lines 1-19; page 27, lines 3-20; page 29, lines 8-18; page 32, line 33, to page 33, line 1; and page 36, lines 16-23.

Support for the amendment to claim 4 can be found throughout the specification as originally filed, for example, at the following location: page 27, lines 21-25.

Support for the amendment to claim 9 can be found throughout the specification as originally filed, for example, at the following location: page 28, line 16.

Claims 14, 15, and 16 have been amended to provide proper antecedent basis for the terms used in the claims.

Support for newly presented claim 28 can be found throughout the specification as originally filed, for example, at the following location: page 30, line 7.

Support for newly presented claim 29 can be found throughout the specification as originally filed, for example, at the following location: page 20, lines 12-26.

Support for newly presented claim 30 can be found throughout the specification as originally filed, for example, at the following location: page 11, lines 1-14.

Support for newly presented claim 31 can be found throughout the specification as originally filed, for example, at the following locations: page 22, lines 13-33.

Support for newly presented claims 32 and 33 can be found throughout the specification as originally filed, for example, at the following location: page 5, lines 3-6.

Support for newly presented claims 34 and 35 can be found throughout the specification as originally filed, for example, at the following location: page 23, lines 15-19.

Support for newly presented claim 36 can be found throughout the specification as originally filed, for example, at the following locations: page 10, lines 21-32; and page 23, line 1, to page 24, line 27.

Support for newly presented claim 37 can be found throughout the specification as originally filed, for example, at the following location: page 24, lines 8-13.

Support for newly presented claim 38 can be found throughout the specification as originally filed, for example, at the following location: page 32, lines 21-26.

Accordingly, no new matter has been added by way of this amendment and the entry thereof is respectfully requested.

Remarks

I. Information Disclosure Statement.

An Information Disclosure Statement (IDS) accompanies this preliminary amendment. The IDS includes a modified form 1449. Copies of the cited references are of record in parent application USSN:09/109,505. Accordingly, new copies of the cited references are not being provided (see, 37 C.F.R. §1.98(d)). Applicants request that the Examiner indicate that the references have been considered by initialing each cited reference on the modified form 1449 and returning a copy of the initialed form to the applicants.

II. Corrected Filing Receipt

By way of this amendment, applicants have changed the title of the present application to more clearly reflect the claimed subject matter. A corrected filing receipt showing the new title is respectfully requested.

Conclusion

Applicants respectfully submit that the claims comply with the requirements of 35 U.S.C. §112 and define an invention that is patentable over the art. Accordingly, a Notice of Allowance is believed in order and is respectfully requested.

Please direct all further communications in this application to:

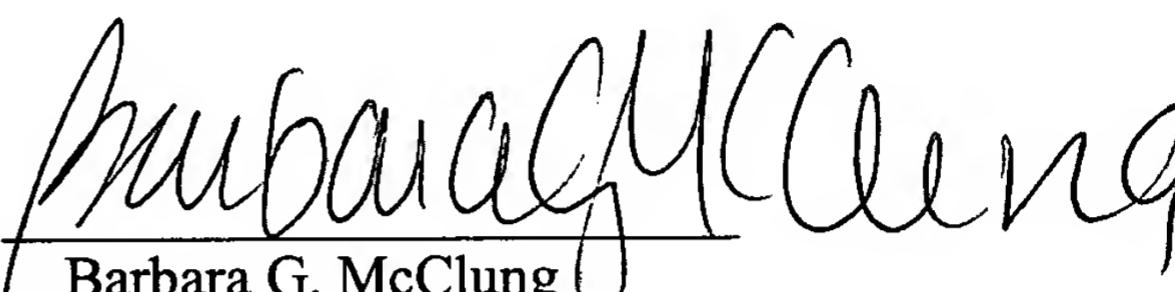
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If the Examiner notes any further matters that the Examiner believes may be expedited by a telephone interview, the Examiner is requested to contact the undersigned at (650) 599-3994.

Respectfully submitted,

Date: 17 Sept 03

By:


Barbara G. McClung
Registration No. 33,113
Attorney for Applicants